

**EXHIBIT 12**

Internal Revenue Service  
District Director

Department of the Treasury

Person to Contact: Emerald Liburd

Telephone Number: (808) 541-1140  
Ext. 408

Refer Reply To:

Internal Revenue Service  
300 Ala Moana Blvd #50089  
Honolulu HI 96850  
Attn.: MS H1606 EL

Date: September 23, 1998

Dear Mrs. Eriko Dmitrosky:

Thank you for responding to the request, and coming on Friday afternoon to discuss the funds that you had given to Mr. Yip. We also discussed that the notes would be written in an affidavit form and that it would be mailed to your France or Honolulu address, and that it would be signed and returned.

Here is the affidavit. I am mailing it to the Honolulu and the France address. Please note that you can cross out the areas of the affidavit that you think are not correct, and correct it on the original copy.

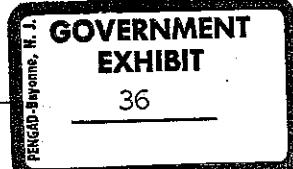
However, if you prefer to redo the affidavit, I have enclosed some unused ones that you may use.

Please mail the signed forms back to the above address.

Thank you for your cooperation.

Sincerely,

Emerald Liburd  
Revenue Agent



D-885  
EL  
9-23-98

## Affidavit

United States of America Western )  
Judicial, District of Honolulu) ss95-1  
1040

1. I, Enrique Amatovskay, SSN 280-98-7023, state that:

2. I reside at 1221 Victoria St. Apt #1904, Honolulu HI 96814.

3. I Lent no funds to Andy Yip in 1995.

4. I wired \$350,000 from my bank at Salomon Smith Barney, where my Stock

5. Broker is Lally George, to Jean-Jacques Gattegno's account

6. in France. I then left to go to France. However, before

7. I left for France, Mr. Yip requested that I loan

8. him \$400,000. I did not loan him any funds until

9. when I got to France.

10. When I got to France, Jean-Jacques Gattegno was coming

11. to the United States. I gave him \$9000 in cash to give.

12. Mr. Yip, I had some other friends, whose name I do

13. not want to disclose, who came to the U.S. that year.

14. I also gave them \$9000 in cash to give to Mr. Yip.

15. All these funds I gave to Mr. Yip were about 9k U.S.

16. although the funds were given in French francs, to Mr. Yip.

17.

18. These friends all came to the United States about

19. two times each during the year. When I came

20. back to the United States, I brought back

21. \$9000 which I gave to Mr. Yip.

22.

23. I left about \$100,000 in Jean-Jacques

24. Gattegno's account in France, when

25. I returned to the United States.

26. I left these funds in Mr. Gattegno's

27. account because I go back and forth

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1 between France and Honolulu so I  
 2 would need that money when I  
 3 returned to France.

4

5 I have received no payments from  
 6 Mr. Tip. I made no formal written  
 7 agreement with him for he is my  
 8 friend, and he is a trust worthy  
 9 person.

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I have read the foregoing statement consisting of \_\_\_\_\_ pages, each of which I have signed. I fully understand this statement and it is true, accurate and complete to the best of my knowledge and belief. I made the corrections shown and placed my initials opposite each.

I made this statement freely and voluntarily without any threats or rewards, or promises of reward having been made to me in return for it.

Subscribed and sworn to before me this 18<sup>th</sup>  
 day of September, 1998.  
 at 300 Ala Moana Blvd  
 Honolulu HI 96850.

(Signature of affiant)

(Signature)

(Title)  
 Internal Revenue Service

(Signature of witness, if any)